

Federal Defenders OF NEW YORK, INC.

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David E. Patton
Executive Director
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Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

February 21, 2023

The request to adjourn trial is denied. The parties' pretrial submissions shall be due March 2. The Government shall assist defense counsel to arrange for confidential access to her client.

*Janice G. Ke
2/22/23*

BY ECF

Honorable Judge Denise L. Cote
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: **United States v. Frankie Centeno**
22 Cr. 542 (DLC); 18 Cr. 234 (DLC)

Dear Judge Cote,

On behalf of Mr. Frankie Centeno, I write to request a 30-day adjournment of the trial, and a two week extension of trial-related deadlines. The Government joins in this request.

Trial is currently scheduled to begin on March 6, 2023, in 22 Cr. 542. The defense expects Mr. Centeno to enter a plea of guilty on February 28, 2023. Mr. Centeno was originally scheduled for a change of plea hearing on February 23, however he is currently in COVID-related quarantine at the Westchester County Jail and unable to attend Court in person.¹

Mr. Centeno's COVID quarantine began the week of February 6 and is expected to last through at least February 24, 2023. While a plea is expected to resolve this matter, given Mr. Centeno's quarantine status leading up to the trial date, I request a brief adjournment of the trial and trial-related deadlines. I have tried but been unable to meet with Mr. Centeno in person due to his status in quarantine. Mr. Centeno is provided limited opportunity to speak with counsel remotely. The jail allowed me to speak with Mr. Centeno once last week. This call was cut short after 30 minutes and was not fully private because the jail's COVID procedures required Mr. Centeno to speak with me through a speaker phone within earshot of the officer. Given these limitations on our communication, and my inability to meet with Mr. Centeno in person, I would be unable to adequately prepare for trial in less than two weeks in the event that the plea does not take place as scheduled.

As noted above, the Government joins this request for an adjournment.

Respectfully submitted,
/s/ _____
Zawadi Baharanyi
Assistant Federal Defender of New York

cc: AUSA Lara Pomerantz.

¹ Mr. Centeno would consent to proceeding with the change of plea hearing remotely on February 24.